

Court of Appeals, State of Michigan

ORDER

People of MI v Tyshawn Sandifer

Docket No. 281277

LC No. 00-000623-FC

Jane E. Markey
Presiding Judge

William B. Murphy

Richard A. Bandstra
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court REMANDS this case to the Kent Circuit Court for a determination of whether Appellant is indigent and, if so, for the appointment of appellate counsel, in light of *Halbert v Michigan*, 545 US 605; 125 S Ct 2582; 162 L Ed 2d 552 (2005). Appointed counsel may file an application for leave to appeal with this Court and/or any appropriate postconviction motions in the trial court, within six months of the date of the circuit court's order appointing counsel. This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 26 2008

Date

Sandra Schultz Mengel
Chief Clerk